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7 **UNITED STATES DISTRICT COURT**
8 **WESTERN DISTRICT OF WASHINGTON**

9 MOTHER, LLC.,

10 Plaintiffs,

11 v.

12 L.L. BEAN, Inc.,

13 Defendant.
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Case No. C06-5540 JKA

**ORDER FIXING
SANCTION AWARD**

15 This matter comes before the Court on Plaintiff's Motion to Limit Sanction Award. The court has
16 reviewed all materials submitted in support of and in response to said motion as well as the files and records
17 herein.

18 On April 6, 2007, this court entered Order Granting In Part L.L. Bean's Motion For Sanctions And
19 To Compel. By way of letter dated April 20, 2007, and attached schedule, L.L. Bean submitted a statement
20 in the sum of \$8,430.52 agreeing to discount the total by 25% in recognition of pre-submission discussions
21 between the parties effectively reducing the claim to \$6,300. Mother LLC filed this Motion to Limit Sanction
22 Award arguing that (1) LL Bean should only be allowed expenses reasonably associated with the issues on
23 which it prevailed; and (2) the award should reflect an offset for 7.9 hours incurred by Mother LLC in
24 defending those issues on which it prevailed. L.L. Bean responds with a detailed offer to further reduce the
25 request for sanctions to reflect the time actually spent on the "prevailing" issues. The adjusted net request for
26 an award of sanctions is \$5,528.98. It does not take into consideration the 7.9 hours incurred by Mother LLC
27 in defending on those issues on which Mother prevailed. Given the nature of the motion to compel, the court
28 concludes that the plaintiff should not be entitled to the 7.9 hour offset requested.

1 Accordingly, in furtherance of the court's order entered April 6, 2007, defendant L.L. Bean, Inc. is
2 awarded sanctions in the total sum of \$5,528.98.

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4 Dated this 22nd day of May 2007.

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6 /s/ J. Kelley Arnold

7 United States Magistrate Judge
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